

THE HONORABLE BARBARA J.
ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FRANSSEN CONDOMINIUM
ASSOCIATION OF APARTMENT
OWNERS, a Washington non-profit
corporation,

Plaintiff,

v.

AETNA CASUALTY AND SURETY
COMPANY OF ILLINOIS, a Connecticut
company; COUNTRY MUTUAL
INSURANCE COMPANY, an Illinois
company; DOE Travelers entity 1, a
Connecticut Company; DOE Travelers
entity 2, a Connecticut Company; DOE Travelers
entity 3, a Connecticut Company;
FARMINGTON CASUALTY COMPANY, a
Connecticut company; THE TRAVELERS
INDEMNITY COMPANY, a Connecticut
company; THE TRAVELERS INDEMNITY
COMPANY OF AMERICA, a Connecticut
company; TRAVELERS CASUALTY AND
SURETY COMPANY, a Connecticut
company; and TRAVELERS PROPERTY
CASUALTY CORP., a Connecticut
company,

Defendants.

No.: 2:21-cv-00295-BJR

STIPULATED MOTION AND ORDER TO
EXTEND DEADLINE FOR AMENDED
PLEADINGS

STIPULATION

Plaintiff Franssen Condominium Association of Apartment Owners and Defendants
Aetna Casualty and Surety Company of Illinois (“Aetna”), Country Mutual Insurance
Company (“Country”), Farmington Casualty Company (“Farmington”), The Travelers
Indemnity Company (“TIC”), The Travelers Indemnity Company of America (“TICA”),
Travelers Casualty and Surety Company (“TCSC”), and Travelers Property Casualty Corp.
 (“TPCC”), by and through their respective counsel, stipulate and agree that:

1. Plaintiff may file an amended complaint to add claims under the Insurance Fair
Conduct Act (“IFCA”) and related claims, withdraw its claim under Policy No. I-
680-467L2261-IND-02 issued by TICA and TIC, with a policy period in effect
between February 7, 2002 and February 7, 2003 (the “2002 Policy”), and correct
its allegations regarding policies issued by Aetna, Farmington, TIC, TICA, TSCS,
TPCC (together, the “Travelers Defendants”) and/or their affiliates;;
2. The deadline to file amended pleadings should be extended from July 12 to July
21, 2021;
3. The nine-day extension of the deadline to amend pleadings is supported by good
cause, as explained below.

On March 5, 2021, the Association filed this lawsuit against Country and the
Travelers Defendants.

Since the time of filing, the parties have continued to exchange correspondence
clarifying their positions on various issues.

On June 24, 2021, the Association sent the third of a series of IFCA letters to Country
alleging that it unreasonably denied coverage.

On June 29, 2021, the Association sent an IFCA letter to the Travelers Defendants
alleging an unreasonable denial of coverage and violations of Washington claim-handling
standards. In the same letter, the Association conceded that there is no coverage for its claim

under the 2002 Policy. Thus, the Association is withdrawing its claim under the 2002 Policy, and will amend its Complaint accordingly.

By July 19, the 20-day notice period under IFCA will have expired, allowing the Association to amend its complaint to add an IFCA claim.

Plaintiff believes that by July 21, 2021, it can file an Amended Complaint that includes allegations of IFCA violations, a withdrawal of the claims under the 2002 Policy, and clarification regarding its claims against the Travelers Defendants and/or their affiliates.

A very brief nine-day extension of the deadline to amend pleadings will allow the Association to describe the Defendants' denials, identify the reasons for the denials, and plead IFCA and related claims. Given the recent IFCA correspondence, good cause exists to support a brief nine-day extension of the deadline to amend pleadings.

DATED this 7th day of July 2021.

HOUSER LAW, PLLC

By: /s/ Daniel S. Houser
Daniel S. Houser, WSBA #32327
dan@dhouserlaw.com

Attorneys for Plaintiff Franssen
Condominium Association of Apartment
Owners

BETTS, PATTERSON & MINES, P.S.

By: /s/ Daniel L. Syhre
Daniel L. Syhre, WSBA #34158
dsyhre@bpmlaw.com

Attorneys for Defendant Country Mutual
Insurance Company

BULLIVANT HOUSER BAILEY, PC

By: /s/ Daniel R. Bentson
Daniel R., Bentson, WSBA #36825
daniel.bentson@bullivant.com

Attorneys for Defendants Aetna Casualty
and Surety Company of Illinois, Farmington
Casualty Company, The Travelers
Indemnity Company, The Travelers
Indemnity Company of America, Travelers
Casualty and Surety Company, and
Travelers Property Casualty Corp.

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2 BASED UPON THE PARTIES' STIPULATION, WHICH ESTABLISHES GOOD
3 CAUSE, THE COURT HEREBY EXTENDS THE DEADLINE TO FILE AMENDED
4 PLEADINGS FROM JULY 12 TO JULY 21, 2021. PLAINTIFF MAY FILE AN
5 AMENDED COMPLAINT PER THE PARTIES STIPULATION ON OR BEFORE
6 JULY 21, 2021.

7 IT IS SO ORDERED this 7th day of July 2021.

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10 THE HONORABLE BARBARA J. ROTHSTEIN

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